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OFFICE OF THE PATENT AND TRADEMARK OFFICE  
FEB 25 2004

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL UNDER 37 C.F.R. §1.114

Customer Number: DUKE-227

Prior Appln Serial No.: 09/902,786

Filed: July 12, 2001

Inventor(s): Edward F. PATZ, Jr., Michael CAMPA and Michael FITZGERALD

Confirmation No.: 6628

Group Art Unit: 1641

Examiner: Deborah A. Davis

Customer No.: 34610

U.S. Patent and Trademark Office

2011 South Clark Place

Customer Window, Mail Stop RCE

Crystal Plaza Two, Lobby, Room 1B03

Arlington, Virginia 22202

Sir:

NOTE: 37 C.F.R. §1.114 is effective on May 29, 2000. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114

a.  Previously submitted

i.  Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on November 26, 2003.  
(Any unentered amendment(s) referred to above will be entered).

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

iii.  Other. \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other. Petition for Three Month Extension of Time

2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. Fee amount \$130.00 under 37 C.F.R. §1.17(i) enclosed. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).

b.  Other. \_\_\_\_\_

3. Fees  RCE fee required under 37 C.F.R. §1.17(e); Small Entity \$385.00, other than small entity \$770.00. The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

Extension of time fee (37 C.F.R. §§1.136 and 1.17)

Payment by:

a.  Check in the amount of \$860.00 (Check No. 11330) enclosed.

b.  Please charge my Deposit Account No. 16-0607 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of any deficiency in the above fees associated with this communication or credit any overpayment to Deposit Account No. 16-0607. A duplicate copy is enclosed.

02/27/2004 CNGUYEN 00000070 09902786

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Respectfully submitted,  
FLESHNER & KIM, LLP

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Date: February 25, 2004

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